

## HOUSE BILL NO. 273

INTRODUCED BY LAMBERT

A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING RURAL TRANSPORTATION PROVIDERS FROM PUBLIC SERVICE COMMISSION AUTHORITY; AMENDING SECTION 69-12-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 69-12-102, MCA, is amended to read:

**"69-12-102. Scope of chapter -- exemptions.** (1) This chapter does not affect:

(a) the operation of school buses that are used in conveying pupils or other students enrolled in classes to and from district or other schools or in transportation movements related to school activities that are sponsored or supervised by school authorities;

(b) the transportation by means of motor vehicles in the regular course of business of employees by a person or corporation engaged exclusively in the construction or maintenance of highways or engaged exclusively in logging or mining operations, insofar as the use of employees in construction and production is concerned;

(c) the transportation of household goods and garbage by motor vehicle in a city, town, or village with a population of less than 500 persons according to the latest United States census or in the commercial areas of a city, town, or village, as determined by the commission;

(d) the transportation of newspapers, newspaper supplements, periodicals, or magazines;

(e) motor vehicles used exclusively in carrying junk vehicles from a collection point to a motor vehicle wrecking facility or a motor vehicle graveyard;

(f) ambulances;

(g) the transportation by motor vehicle of not more than 15 passengers between their places of residence or termini near their residences and their places of employment in a single daily round trip if the driver is also going to or from the driver's place of employment;

(h) the operation of:

(i) a transportation system by a municipality or transportation district as provided in Title 7, chapter 14,

1 part 2; ~~or~~

2 (ii) a municipal bus service pursuant to Title 7, chapter 14, part 44; or

3 (iii) any public transportation system recognized by the Montana department of transportation as a  
4 federal transit administration provider pursuant to 49 U.S.C. 5311;

5 (i) armored motor vehicles used for the transportation of valuable paintings and other items of unusual  
6 value requiring special handling and security;

7 (j) the transportation of household goods or garbage under an agreement between a motor carrier and  
8 an office or agency of the United States government; or

9 (k) the transportation of ~~disabled or elderly~~ persons provided by private, nonprofit organizations,  
10 including those recognized by the Montana department of transportation as federal transit administration  
11 providers pursuant to 49 U.S.C. 5310. As used in this subsection:

12 ~~(i) "disabled" means an individual who has a physical or mental impairment that substantially limits one~~  
13 ~~or more major life activities;~~

14 ~~—— (ii) "elderly" means a person 60 years of age or older; and~~

15 ~~—— (iii) "private, nonprofit organization" means an organization recognized as nonprofit under section 501(c)~~  
16 ~~of the Internal Revenue Code.~~

17 (2) Except for the identification of ownership requirements provided in 69-12-408, this chapter does not  
18 affect commercial tow trucks designed and exclusively used in towing wrecked, disabled, or abandoned vehicles  
19 or while these tow trucks are rendering assistance to wrecked, disabled, or abandoned vehicles. However,  
20 commercial tow truck firms shall file policies of insurance showing coverage required by 61-8-906.

21 (3) This chapter does not prevent bona fide leases, brokerage agreements, or buy-and-sell  
22 agreements."

23  
24 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

25 - END -